girl, the girl's father takes over the child.

In the past, during the wars, the owner of a woman slave sometimes married her. The children of this marriage were considered legitimate and [37] had their fathers' status, even if he already had children from marriage with a munyarwanda wife.

Children born of the master and a woman slave were also considered legitimate.

CHAPTER V. PATERNAL AUTHORITY

The patria potestas is exercised by the father. In the past it implied the right of life and death over his children. Today the father does not have such power, but his authority still remains sovereign and extends even over married sons. The latter must in particular, give him cows if he asks for any to increase his herds and to replace animals that are sick or have died.

A bad son can be cursed by his father and driven out of the family and even from the hill (igitshibwa or ikivume, the accursed one). He goes off with empty hands, and his brothers divide his property.

As a counterpart to his authority, the father is obligated to support his children and to establish his sons by paying the dowry.

The children must obey their mother as well as their father. Simiarly they must be deferential to their paternal uncles and aunts, and to a lesser degree, to their maternal uncles and aunts. Sisters must obey their brothers, and younger brothers, their older ones.

The loss of paternal authority does not exist as such. If the father is unworthy or incapable, the grandfather or paternal uncle has charge of the children. [38]

CHAPTER VI. TUTELAGE AND EMANCIPATION (1)

1. Cf. also, Inheritance, Guardianship of Children, p. 60.

When the father is dead, usually one of his brothers watches over the widow and orphans. In the absence of a paternal uncle, guardianship goes to a maternal uncle.

604 The paternal uncle may marry his sister-in-law. He has the
429 same rights over his nephews and the same obligations to them as their father. If the widow marries a stranger (umwinjila), the latter becomes the guardian of the children, but as a rule he has not much authority. And if he does not fulfill his obligations, he may be driven out by the paternal uncle and has to go away empty-handed.

Similarly, if the uncle who is guardian does not fulfill his obligations, the children may complain to their father's patron, or, if they have no cattle, to the hill chief. When they have grown up, they may even drive out the unworthy guardian.

Only through marriage do the sons gain independence unless previously they have freed themselves with violence from the guardian's authority.

593 Nevertheless, even when they are emancipated by marriage, male children are not freed of their obligations to their parents (1).

1. Cf. also, Inheritance, Guardianship of Children, p.60.

[39] CHAPTER VII. MAJORITY AND INTERDICTION

[881] In Ruanda there is no initiation ceremony to mark the entrance
885 of boys into social life any more than there are age classes. But when a young man has become ingaragu, his father then looks upon him as a man; he speaks to him of cattle and crops, allows him to share his meal, and sends him in his place to the patron to pay homage, etc.

732 Lunatics (abasazi), the dumb (ibirazi) and the deaf (ibipfamatwi) move around freely and, except for the first, may marry.

593 The property of a spendthrift (ikarara, lit., half mad, exalted) is managed by his parents.

As for the bad son who is disobedient and insolent, he can be cursed by his father (igitshibwa or ikivume).

561 CHAPTER VIII. TABLE INDICATING THE NAMES USED TO DESIGNATE THE DIFFERENT AGES OF LIFE (1)

1. The age given in years is obviously

587 If the widower is left with very young children, the parents-in-law usually suggest to their son-in-law that he take one of their other daughters as a wife (2) so that the children do not have a stranger as

[765]

2. The widower may not remarry until after a month of mourning. During this time he does not shave, does not wash his clothes, and may not have intercourse with another woman.

stepmother. Far from claiming another dowry for her, they offer on the contrary an indongoranyo cow (3) which normally, however, is

3. A hoe, among the Bahutu.

the counterpart of the dowry paid.

A widower without children may claim restitution of the dowry. He usually does not do so because he knows that his parents-in-law, to avoid returning the dowry, will find him a new wife among their own daughters or those of their kin.

7. Guardianship of Children (4)

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4. Cf. Personal Status, Tutelage and Emancipation, pp. 31 and 32.

The widowed mother who does not remarry outside the family continues to live in her rugo where she brings up her children until their marriage, which emancipates them, at least so far as the boys are concerned.

The son who is named head of the family actually replaces his father, provided he is old enough to do so. He has the same rights and obligations as his father, especially that of establishing his brothers (by giving them some indemano) and marrying off his sisters. If later one of his sisters happens to be repudiated, she takes refuge with her mother or her brother, who finds her a new husband.

If all the boys are minors, the paternal grandfather or, in his absence, the paternal uncle who seems the best [72] qualified is

429 chosen as guardian. In this capacity he exercises the prerogatives
768 of the paternal authority and manages for his wards the property left by the deceased.

If the male relatives on the paternal side have died, one of the maternal uncles will be guardian. In effect as each of the couple continues to belong to his and her umulyango, the children are members of both families.

429 Emancipation, which occurs normally at the moment of marriage comes when the young man reaches eighteen years of age. But it may happen that the children, having reason to complain of their guardian, go and seek justice, according to their rank, from the hill chief, the provincial chief, or the Mwami. When they are grown they may even emancipate themselves (proprio motu) by driving out their unworthy guardian.

8. Irregular Inheritance

428 While daughters are excluded from inheriting by the law of inheritance, they are always presented with gifts by the new head of the family, at least when he is their brother.

As far as the Bahutu are concerned, the following case may arise: A Muhutu, umugaragu of a rich Mututsi, has a daughter who is a servant to his master and who is married to another servant. When his client dies, instead of taking back the cows, the master can give them to the daughter's husband, who thus becomes his umagaragu.

When a wife dies, the few ornaments she owns (necklaces, bracelets) do not go to her daughter, but to her stepdaughters (her husband's daughters). With the political chief's permission, the mother may also give them to her son who was living with her and who will later on give them to his wife.

428 A man who has no sons (inchike) or who has cursed them may adopt
597 a son of his brother (umuhungu wachu) [73], or in his absence, a son of his sister (umwishywa). He promises him his inheritance and his inheritance and his nephew becomes his true son (1).

1. Cf. Personal Status, the Family and the Clan, p. 4.

428 A man who has concluded the blood pact (kunywana) (2)

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2. Cf. Personal Status, The Blood Pact, p. 13.

inherits from his blood brother (umunywanyi) if the latter dies without leaving any male relatives. He may marry the wife of the deceased but not his daughter, who is considered as being his child, and he exercises paternal authority over the orphans.

429 If the deceased is tied to a patron by a lease of livestock and has no brother, the guardianship of the children who are minors belongs to the shebuja (kumuremera). In the opposite case, the shebuja shares it with a paternal or a maternal uncle of the orphans. If the patron has paid his client's dowry, he will take the dowries given for his umugaragu's daughters and will keep them to enable the boys to marry. Thus, in this case, a Mututsi becomes chief of the Muhutu's rugo.

9. Reversion of Property in Escheat

428 As women do not inherit, in the unlikely case of the deceased having no male relatives, his patron takes back the cows that belonged to him and appropriates the small livestock, tools, etc. (inzungu) (3). The fields, banana plantations, and pastures left

3. From guzungura, " to inherit without being a relative. "

under the same conditions (inkungu) (1) go to the political chief who

1. Cf. Personal Status, the Family and the Clan, p. 4.

assigns them to another man. But widows are authorized to live in their own rugo.

If the deceased is not tied by an ubugaragu contract, all his property goes to the political chief who disposes of it as he sees fit.

2. Administration of Justice and Social Conditions

428 In the families of those Barundi (Batussi, Bahutu, and Batwa) who do not hold an office, the eldest son (or daughter) of the first wife is the secular and religious principal heir of the father. He inherits (kuraga) the largest share of the available family property, while the mother and the other children each receive equal shares of the remaining property. If the mother [429] is already dead and the children still small, the eldest son as the principal heir is expected to provide for them. If a 428 Murundi dies without children and leaves a widow, his brothers 768 divide his property among them, and the widow returns to her 587 family. However, a widow with children becomes the wife of the brother nearest to the deceased (levirate), and she and her children remain in the same house as before. The family stays together until the children are married and set up their own families (No. 19, p. 285). According to von Langenn, only sons receive the inheritance; they then support the mother and sisters. If there are no sons, either the widow or the daughters, as the case may be, are the heirs.

The eldest son also inherits the religious and professional 428 attributes and skills of his father. If the father was a priest 463 (kiranga), sorcerer, medicine man (umufumu), or blacksmith 868 (umususi), etc., the eldest son becomes -- or remains -- in the same position or profession by inheriting from his father the insignia and tools, in addition to the expert training. Thus, certain professions remain the prerogative of certain families. If the mother is an expert of some sort, she will pass on her skills to her eldest daughter.

428 If someone dies without leaving a family or relatives, the mutwale of the district in question inherits the property (No. 19, p. 568). Since no written laws of any sort exist, all law is 671 customary law, tradition, and usage. Every adult Murundi is 563 familiar with these customs, and if anybody infringes them, it is regarded as a punishable violation of the law. Even the king considers himself bound by them in his relations to the Batussi and only under exceptional circumstances [93] does he disregard

428 over his brothers. As an act of vassalage, the latter must in turn /each/
593 give him a beer, a hoe, and a sheep. /50/ They acknowledge his superiority thereby, and place themselves under his dependence. In return he must show interest in them and in their legal proceedings, take care of their affairs in the event of illness, defend them against one and all.

[429] Daughters have no right whatever to inherit from their father. Before he dies, on the other hand, the father appoints one of his sons to look after each one of them to take care of her future, her marriage, and to watch over her until she marries.

851 A daughter whose bride price was paid for in cows receives
431 a heifer from her father or brother when she comes to show them her first born. Among wealthy families, she is given a cow at the birth
[556] of each male child. Among poorer families, the gift consists of a young bull, a goat, or one or two hoes, depending on the amount of the bride price (1).

1. A cow given under these circumstances is called "young mother's cow" (ichari, umwari). The young bull obtained under the same circumstances is called "woman's garment" (inkanda), because the animal's hide must theoretically be used to clothe the happy mother.

According to the Banyarwanda custom governing the occasion, the child's father must give three jugs of beer and a basketful of cooked food to his father-in-law or to the brother-in-law who is his wife's guardian.

428 Upon their father's death, daughters merely receive garments made of cowhide, hoes, or sheep, which on account of the bereavement are called by the name of "salary or reward for tears."

428 [768] The widow whose son was chosen as chief legatee usually enjoys the use of the family property until her death. The sharing is definitively carried out only after she has left this world. A childless widow is usually sent away by her husband's relatives, who share among themselves the property of the deceased. On being dismissed, she is left merely with a mat and a few household utensils. If she is fairly young, one of her brothers-in-law takes her as a concubine or gets her another husband. /51/ When a child loses both parents, he 429 is given a guardian. The legal guardian is the paternal grandfather, or lacking him, an uncle, a paternal first cousin, or lastly the chief of the village himself.

Maternal uncles and aunts, especially if they belong to another clan, cannot as a general rule manage the orphan's property. This would give rise to disputes and legal porceedings among the members of both tribes. They may bring up the child at best.

The guardianship devolves by right to relatives on the paternal side. They administer the ward's property until he comes of age, [582] that is to say, until the day when he takes a wife. This usually happens at the age of eighteen or nineteen.

If only daughters are left, the nearest paternal relatives [428] inherit the family property, but they must take care of the orphans until they marry.

If a person dies childless and leaves no relatives, his property devolves by right to the hill chief. This property is called inkungu.

[165] The families are large, but child mortality is high.

851 551 Eight days after his birth the newborn child receives from his father a name that befits the circumstances (1). The mother /52/ is

1. "We notice that all men," says Mgr. LeRoy, "give themselves names that characterize them, and frequently the best one they could find was that of an animal whose strength, skill, agility, or beauty they had noticed, of a plant that was useful to them.... of an object or phenomenon which had struck them." (Les primitifs /Primitive Peoples/, p. 126.)